

RESPONSE UNDER 37 C.F.R. § 1.114(c)
U.S. Application No. 10/700,632 (A8427)

REMARKS

Entry of the Amendment under 37 C.F.R. § 1.116, filed October 15, 2008, is kindly requested.

In the Advisory Action, at page 3, the Office indicates that the Amendment under 37 C.F.R. § 1.116 filed October 15, 2008, was not entered because the Amendment allegedly presents new evidence that requires further consideration by the Office. The Office admits that upon entry of the Amendment, the objection to claims 5, 8, 11 and 14 under 37 C.F.R. § 1.75(c) of being an improper multiple dependent form is overcome; the objection to claims 1-2 in the recitation "having an amino acid sequences" is overcome; and the rejection of claims 2, 5, 8, 11, 14-16, 18, 20, 22, 24, 26, 28, 30 and 32 under 35 U.S.C. § 112, first paragraph for lack of enablement is overcome.

The Office is incorrect that *Ex parte* Abad, Park *et al.* and U.S. Patent Ser. No. 6,926,893 constitute "new" evidence because the information provided by the Applicants is merely reflective of the state of the art and is information the Office should have been aware of and considered prior to issuance of the outstanding final Office Action. However, solely to compact prosecution, Applicants herewith file the Response under 37 C.F.R. § 1.114(c).

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The U.S. Patent and Trademark Office is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. J. Simmons', is written over a horizontal line.

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